

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

TRAVELERS INDEMNITY COMPANY,)	
)	
Plaintiff,)	
)	
v.)	Civil No. 06-455-DRH
)	
GENERAL MEDICINE, P.C.,)	
and JAMIE J. MONKE,)	
)	
Defendants.)	

ORDER

PROUD, Magistrate Judge:

This matter is before the court for purposes of docket control.

This is a declaratory judgment action in which Travelers Indemnity Company seeks a declaration that it does not owe any duty to defend or indemnify General Medicine or its employees on a workers compensation claim or a tort claim brought by defendant Monke against them. Travelers has filed a motion for extension of time to complete discovery and for leave to resume the deposition of General Medicine's president, Dr. Prose. **(Doc. 61)**. In response to that motion, General Medicine has conceded that, in its opinion, there is no coverage under the Travelers policy for either Dr. Monke's workers compensation claim or her tort claim. **(Doc. 68)**. General Medicine has also filed a motion for judgment on the pleadings, or, in the alternative, for summary judgment, in which it asks the court to enter judgment against it and in favor of Travelers. **See, Doc. 63.**

In its response to the motion to extend the time for discovery, General Medicine informs the court that Dr. Monke's workers compensation claim was denied by the Illinois Workers

Compensation Commission on June 5, 2007. **See, Exhibit 1 attached to Doc. 68.** The record does not reflect whether Dr. Monke has filed an appeal from that decision.

Defendant Monke has not filed a response to Travelers' motion to extend the time for discovery. Monke did not file an answer to the amended complaint, so the record does not reflect her position as to whether the Travelers policy applies to any of her claims. The time for filing a response to the motion has not yet expired. However, in view of the fact that the deadline for completion of discovery is July 9, 2007, the court deems it appropriate to shorten the response period.

For the foregoing reasons, the court orders Dr. Monke to file a response to Travelers' motion to extend the time for discovery, **Doc. 61**, by **July 10, 2007**. Such response shall state whether Dr. Monke has filed, or intends to file, an appeal from the denial of her workers compensation claim. Such response shall also specifically state Monke's position on whether the Travelers policy affords coverage to General Medicine or to any of its employees on her workers compensation claim and on her tort claim.

IT IS SO ORDERED.

DATE: July 6, 2007.

s/ Clifford J. Proud
CLIFFORD J. PROUD
UNITED STATES MAGISTRATE JUDGE